

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 2253 of 2007
Date of Decision: 15.2.2007

The Block Development and Panchayat Officer Babain

Petitioner

versus

Gurmail Singh

Respondent

CORAM:- HON'BLE MR. JUSTICE JASBIR SINGH

HON'BLE MR. JUSTICE VINOD K. SHARMA

Present: Shri Harish Rathee, Sr.DAG Haryana for the petitioner

Jasbir Singh, J. (Oral)

This writ petition has been filed against award dated 18.5.2006, vide which, respondent-workman was ordered to be reinstated with continuity in service and full back wages.

It is not in dispute that before termination of his service, the workman had completed more than 240 days during 12 months, preceding to date of termination. It is also not disputed before us that there is a non-compliance so far as provisions of Section 25-F of Industrial Disputes Act, 1947, are concerned. No doubt, the workman was initially appointed for 89 days, however, he continued in service on the basis of subsequent appointment letters, issued to him. The Court below came to a conclusion that the work, for which the workman was appointed, was neither of a specified nature nor for a fixed duration. The work was in existence when service of the workman was terminated. In view of findings given by the Court below in paragraph Nos.11 to 16, no case is made out for interference.

Dismissed.

(Jasbir Singh)
Judge

February 15, 2007
gk

(Vinod K.Sharma)
Judge